



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
WASHINGTON, DC 20202-6132

MAY 13 2013

Dear Chief State School Officer:

I am writing to address an issue regarding the implementation of fiscal year (FY) 2009 School Improvement Grant (SIG) awards in your State's persistently lowest-achieving schools. In the FY 2009 SIG Application (OMB Control Number: 1810-0682), State educational agencies (SEAs) were able to request a waiver of section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of FY 2009 SIG funds that were awarded for Cohort 1 SIG schools until September 30, 2013. This waiver enabled Cohort 1 schools to implement SIG intervention models over three full years. However, several SEAs have reported that it has been difficult for many Cohort 1 Tier I and Tier II schools to expend their entire FY 2009 award during the period of availability due to a confluence of factors, including the significant amount of funds available in that year under the American Recovery and Reinvestment Act of 2009 (ARRA) and the Department's delay in making some awards for implementation beginning in school year 2010–2011. Consequently, some Cohort 1 schools may need additional time to expend their FY 2009 funds.

In response, pursuant to section 9401(d)(2) of the Elementary and Secondary Education Act of 1965, as amended (ESEA), the U.S. Department of Education (Department) is now inviting any SEA that believes additional time to expend FY 2009 funds would benefit its Cohort 1 Tier I or Tier II schools to amend its FY 2009 SIG Application to request an extension of the waiver regarding the period of availability of the FY 2009 funds. In particular, the extension would allow Cohort 1 Tier I or Tier II schools with unexpended FY 2009 funds to use those funds to continue to implement a SIG model during the 2013–2014 school year, if the schools satisfy criteria developed by their SEA. An extension of the waiver is in the public interest due to the unique circumstances surrounding Cohort 1 schools' implementation of SIG, as described above.

This extended waiver would extend the period of availability of FY 2009 funds awarded to local educational agencies (LEAs) for Cohort 1 Tier I or Tier II schools until September 30, 2014. The extension would apply only to an LEA seeking additional time to expend funds in Cohort 1 Tier I or Tier II schools for which the LEA was awarded funds during the initial SIG competition, that began the first year of full SIG implementation at the start of the 2010–2011 school year, and that have unexpended FY 2009 SIG funds as a result of that initial award. Each such LEA interested in the extended waiver would need to request permission from its SEA to implement the extended waiver.

As a part of its request to the Department to extend the previously granted waiver, an SEA must submit a letter, designated as an addendum to its FY 2009 SIG Application, which provides the following information and assurances:

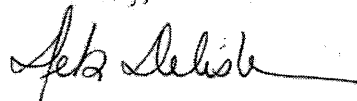
- For each LEA with remaining FY 2009 funds that has a school that would apply for this extension, and for each of those schools within the LEA that would use this extension, the name of the school(s), and the amount of funds remaining.

- An assurance that the SEA will approve an LEA's request to implement the extended waiver only if the LEA has effectively used FY 2009 funds to carry out the SIG final requirements and improve student achievement, in accordance with section 9401(d)(2)(A) of the ESEA.
- An assurance that the SEA will develop criteria that will enable it to determine if an LEA can continue to fully and effectively implement one of the models in its Tier I or II Cohort 1 schools for an additional year.
- An assurance that, prior to approving an LEA's request to implement the extended waiver, the SEA will apply the criteria it develops to ensure that the LEA will use the funds to fully and effectively implement a SIG intervention model in one or more Tier I or Tier II Cohort 1 SIG schools for one additional school year, including by reviewing and approving revised LEA budgets and plans for continuing full and effective implementation of the model during the 2013–2014 school year.
- An assurance that the SEA will develop a technical assistance and support plan that outlines how it will continue to support LEAs' implementation of the intervention models for the selected Tier I and Tier II Cohort 1 schools that are approved to implement the extended waiver.
- An assurance that the SEA will develop a monitoring plan for the 2013–2014 school year, specifically for the LEAs that are approved to implement the extended waiver.
- An assurance that, within 30 days of the SEA's approving LEA requests to implement the extended waiver, the SEA will post on its public Web site and submit to the Department (via e-mail to [oe.se.ost@ed.gov](mailto:oe.se.ost@ed.gov)) the names of the LEAs (including their NCES District Identification Number) it has approved to implement the extended waiver, the schools (including their NCES School Identification Number) within those LEAs that will benefit from the extension of the period of availability of the funds, and, for each LEA and school, the amount of funds that will be extended.

I encourage you to submit your addendum to your State's FY 2009 SIG Application by June 14, 2013, in order for the Department to respond in time for your affected LEAs to be able to implement the extended waiver, if approved. In addition, please note that an SEA also remains welcome to request an extension of the waiver to further extend the period of availability of FY 2009 SIG funds in order to make new awards, using either FY 2009 SIG funds alone or in combination with other available SIG funds, for a new cohort of schools that will begin their three-year SIG implementation in the 2013–2014 school year.

If you have any questions or need additional information as you prepare your request, please contact Carlos McCauley at [carlas.mccauley@ed.gov](mailto:carlas.mccauley@ed.gov) or (202) 260-0824.

Sincerely,



Deborah S. Delisle  
Assistant Secretary